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EXAMINER: Kevin K. Hill, Ph.D.

FROM: David R. Saliwanchik

COMPANY: U.S. Patent Office  
Art Unit 1633

DATE: August 2, 2007

FAX NO.: (571) 273-8300

NO. OF PAGES  
(INCLUDING COVER SHEET): 3

SUBJECT/MESSAGE:

Re: Serial No. 10/551,658; filed September 30, 2005  
Attorney Docket No. BB-156

- 1) Election under 35 USC §121 (2 pages)

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August 2, 2007

*David Saliwanchik*  
David R. Saliwanchik, Patent Attorney

ELECTION UNDER 35 USC § 121  
Examining Group 1633  
Patent Application  
Docket No. B3-156

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Kevin K. Hill, Ph.D.  
Art Unit : 1633  
Applicants : Michael Gotthardt, Michael Radke  
Serial No. : 10/551,658  
Filed : September 30, 2005  
Conf. No. : 4607  
For : Inducible Site-Directed Mutagenesis Through Conditional Gene Rescue

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ELECTION UNDER 35 USC §121

Sir:

In response to the written restriction requirement dated July 9, 2007, the Applicants hereby elect to prosecute the Group II claims, i.e. claims 13-26 and 31-34, drawn to a method for producing an inducible site-directed transgenic cell or organism comprising a mutated allele of a gene and a rescue allele of said mutated gene. The Applicants further elect the species as follows:

- i) Lox-sites;
- ii) direct inhibition;
- iii) one mutated allele;
- iv) one rescue allele;
- v) mammalian cell;
- vi) mammalian tissue;
- vii) cre/lox inactivation;
- viii) in vivo;
- ix) embryonic lethal; and
- x) random integration of foreign DNA.

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